

WHEREAS, in the opinion of the County Auditor, the public interests required that the Lake County Council, should be called to meet in regular session at this time, for the purpose of considering additional appropriations, a written notice was sent to each member of the Council, and proper advertisement made, and all other acts performed in accordance with the laws governing such matters.

And now in obedience to such call, come Ted Bilski, President, David Hamm, Charlie Brown, Daniel Dernulc, Christine Cid, Christian Jorgensen and Alfredo Menchaca County Councilpersons, together with Ray Szarmach, County Council Attorney.

In the Matter of Minutes – August 10, 2021

Dernulc made the motion, seconded by Jorgensen, to approve. Majority voted yes. Motion to approve carried 7-0.

ORDINANCE # 1463

Section 1. Be It Ordained by the County Council of Lake County, IN., that for the expenses of the County Government and its institutions, the following sums of money are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein appropriated, and shall be held to include all expenditures authorized to be made during the year unless otherwise expressly stipulated and provided by law.

| | Appropriation Requested | Appropriated |
|---------------------------------------|----------------------------|--------------|
| General Fund 001 | | |
| <u>Coroner's Office 0700</u> | | |
| 44420 Office Machines | \$34,000.00 | \$34,000.00 |
| 44490 Other Equipment | \$35,000.00 | \$35,000.00 |
| Public Safety CAGIT Fund 010 | | |
| <u>Sheriff 0500</u> | | |
| 44490 Other Equipment | \$770,060.00 | \$770,060.00 |
| Major Moves Construction Fund 550 | | |
| <u>Local Roads & Streets 5060</u> | | |
| 43640 Local Roads & Streets | \$105,000.00 | \$105,000.00 |
| Cumulative Capital Fund 651 | | |
| <u>Data Processing 3600</u> | | |
| 43240 Telephone | \$73,744.35 | \$73,744.35 |

Adopted this 14th day of September, 2021.

TRANSFER OF FUNDS CERTIFICATE

I, the proper legal officer of Lake County Council, Lake County, IN., hereby certify to the Auditor of Lake County, that the Lake County Council, approved the following transfers:

| | Requested | Approved |
|-----------------------------------|-------------|-------------|
| <u>Coroner's Office – 0700</u> | | |
| General Fund 001 | | |
| From: 001-41150 Paraprofessionals | \$20,000.00 | \$20,000.00 |
| 001-43130 Toxicology Lab | \$20,000.00 | \$20,000.00 |
| To: 001-41190 Part-Time | \$20,000.00 | \$20,000.00 |
| 001-42255 Pathology Supplies | \$20,000.00 | \$20,000.00 |

Prosecutors Office – 0800

General Fund 001

| | | |
|-----------------------------------|-------------|-------------|
| From: 001-41160 Office & Clerical | \$15,000.00 | \$15,000.00 |
| To: 001-41190 Part-Time | \$15,000.00 | \$15,000.00 |

Jail – 3100

General Fund 001

| | | |
|-------------------------------------|-------------|-------------|
| From: 001-41140 Protective Services | \$75,000.00 | \$75,000.00 |
| To: 001-43620 Equipment Repair | \$75,000.00 | \$75,000.00 |

Juvenile Court/C.A.S.A. – 4150

LC Casa Capacity Building Grant Fund 377

| | | |
|-------------------------------|-------------|------------------|
| From: 377-41120 Professionals | \$18,568.00 | WITHDRAWN |
| To: 377-41190 Part-Time | \$17,335.00 | “” |
| 377-41220 FICA | \$1,233.00 | “” |

NAY

AYE
Ted Bilski
David Hamm
Daniel Dernulc
Alfredo Menchaca
Christine Cid
Charlie Brown
Christian Jorgensen

Additional

| | Made Motion | Seconded | |
|---|-------------|----------|--|
| <u>General Fund 001</u> | | | |
| Coroner's Office 0700 (\$69,000) | Cid | Hamm | Majority voted yes. Motion carried 7-0. |
| <u>Public Safety CAGIT Fund 010</u> | | | |
| Sheriff 0500 (\$770,060) | Cid | Menchaca | Majority voted yes. Dernulc, Brown and Jorgensen voted no. Motion carried 4-yes, 3-no. |
| <u>Major Moves Construction Fund 550</u> | | | |
| Local Roads & Streets 5060 (\$105,000) | Jorgensen | Dernulc | Majority voted yes. Motion carried 7-0. |
| <u>Cumulative Capital Fund 651</u> | | | |
| Data Processing 3600 (\$73,744.35) | Brown | Menchaca | Majority voted yes. Motion carried 7-0. |

Transfers

| | Made Motion | Seconded | |
|---|-------------|-----------|--|
| <u>Coroner's Office – 0700</u> (\$40,000) | Cid | Menchaca | Majority voted yes. Motion carried 7-0. |
| <u>Prosecutors Office – 0800</u> (\$15,000) | Cid | Hamm | Majority voted yes. Motion carried 7-0. |
| <u>Jail – 3100</u> (\$75,000) | Dernulc | Jorgensen | Majority voted yes. Motion carried 7-0. |
| <u>Juvenile Court/C.A.S.A. – 4150</u> (\$18,568) | | | WITHDRAWN |

In the Matter of Sheriff 0500 – Create 1 New Line Item – Public Safety CAGIT Fund 010 – **Deferred July & August**

Cid made the motion, seconded by Menchaca, to approve the following new line item:

010-0500-44490 Other Equipment

Majority voted yes. Brown voted no. Motion carried 6-yes, 1-no.

In the Matter of Detention Center 4200 – Revised 144 – General Fund 001 – Effective July 7, 2021

Dernulc made the motion, seconded by Jorgensen, to approve the following:

| | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
|------------------------------------|----------------|-----------------|-------------------|
| 12434-001 Intake Probation Officer | \$50,212 | \$52,723 | \$2,511 |

Dernulc stated that this is mandated by the state.

Majority voted yes. Motion carried 7-0.

In the Matter of Coroner 0700 – Create 2 New Line Items – General Fund 001

Cid made the motion, seconded by Hamm, to approve the following new line items:

- 001-0700-44420 – Office Machines
- 001-0700-44490 – Other Equipment

Majority voted yes. Motion carried 7-0.

In the Matter of Prosecutor 0800 – Revised 144 – Protective Services Fund 127 – Retro to July 1, 2021

Cid made the motion, seconded by Menchaca, to approve the following:

| | <u>Present</u> | <u>Proposed</u> | <u>Difference</u> |
|-------------------------------------|----------------|-----------------|-------------------|
| 11031-001 Admin. Coordinator Inves. | \$63,000 | \$64,890 | \$1,890 |
| 11402-002 Admin. Assistant | \$37,800 | \$38,934 | \$1,134 |
| 11402-003 Admin. Assistant | \$37,800 | \$38,934 | \$1,134 |
| 11403-001 Case Monitor | \$44,100 | \$45,423 | \$1,323 |

Majority voted yes. Motion carried 7-0.

In the Matter of Grant Applications & Grant Approvals – Grant Oversight Committee – US Treasury American Rescue Plan – Emergency Rental Assistance (ARP-ERA) Direct Grant Award = Lake County Community Economic Development Department

Cid made the motion, seconded by Hamm, to approve. Majority voted yes. Motion carried 7-0.

In the Matter of Grant Applications & Grant Approvals – Grant Oversight Committee – US Treasury Coronavirus Relief Fund – Emergency Rental Assistance (CRF-ERA) – Indiana Housing and Community Development Authority (IHCDA) Pass-Through Grant Application = Lake County Community Economic Development Department

Cid made the motion, seconded by Hamm, to approve. Majority voted yes. Motion carried 7-0.

In the Matter of Grant Applications & Grant Approvals – Grant Oversight Committee – 2020 Crown Point Community Foundation Unrestricted Grant Application = Lake County Sheriff's Department

Cid made the motion, seconded by Hamm, to approve. Majority voted yes. Motion carried 7-0.

In the Matter of Grant Applications & Grant Approvals – Grant Oversight Committee – US Department of Commerce – National Oceanic and Atmospheric Administration (NOAA) - Indiana Department of Natural Resources – FY 2021 Lake Michigan Coastal Program Supplemental Funding for Acquisition Projects Grant Award = Lake County Parks

Cid made the motion, seconded by Menchaca, to approve. Majority voted yes. Motion carried 7-0.

In the Matter of Resolution in Support of October as Breast Cancer Awareness Month

Cid made the motion, seconded by Jorgensen, to approve. Majority voted yes. Motion carried 7-0.

RESOLUTION NO. 21-56

**RESOLUTION IN SUPPORT OF
OCTOBER AS BREAST CANCER AWARENESS MONTH**

WHEREAS, breast cancer affects millions of women and men and their families; and

WHEREAS, public awareness and education enhance a community's understanding of the issues affecting those with breast cancer; and

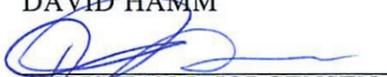
WHEREAS, the Lake County Council supports October as Breast Cancer Awareness Month in an effort to increase public awareness and education of breast cancer.

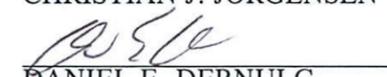
NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That the Lake County Council supports October as Breast Cancer Awareness Month in Lake County, Indiana.

SO RESOLVED THIS 14th day of September, 2021.

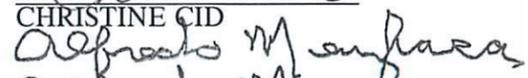

 DAVID HAMM


 CHRISTIAN J. JORGENSEN


 DANIEL E. DERNULC


 TED F. BILSKI, President


 CHRISTINE CID


 ALFREDO M. SANHARA


 ALFREDO M. SANHARA


 CHARLIE BROWN

Members of the Lake County Council

In the Matter of Resolution Amending Resolution No. 21-33, the Resolution to Declare Funds Dormant and Transfer Remaining Cash Balances to Appropriate Funds

Dernulc made the motion, seconded by Jorgensen, to approve. Majority voted yes. Motion carried 7-0.

RESOLUTION NO. 21-33D

**RESOLUTION AMENDING RESOLUTION NO. 21-33,
THE RESOLUTION TO DECLARE FUNDS DORMANT AND
TRANSFER REMAINING CASH BALANCES TO APPROPRIATE FUNDS**

WHEREAS, on May 11, 2021, Lake County Council adopted the Resolution to Declare Funds Dormant and Transfer Remaining Cash Balances to Appropriate Funds, Resolution No. 21-33; and

WHEREAS, the Lake County Council now desires to amend Resolution No. 21-33 in order to add the following funds as dormant and transfer remaining cash balances to appropriate funds:

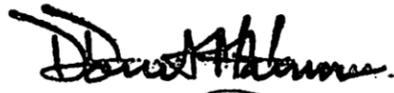
| <u>Dormant Fund</u> | <u>Amount</u> | <u>Transfer Fund</u> |
|------------------------------------|---------------|----------------------------------|
| Fund #319 G.O. Bond Series 2014B | \$ 660.43 | County Bond Redemption Fund #320 |
| Fund #571 Inheritance Revenue Fund | \$71,837.11 | County General Fund |

NOW, THEREFORE, LET IT BE RESOLVED AS FOLLOWS:

That Resolution No. 21-33 shall be amended by adding the following funds as dormant and transfer the balances as follows:

| <u>Dormant Fund</u> | <u>Amount</u> | <u>Transfer Fund</u> |
|------------------------------------|---------------|----------------------------------|
| Fund #319 G.O. Bond Series 2014B | \$ 660.43 | County Bond Redemption Fund #320 |
| Fund #571 Inheritance Revenue Fund | \$71,837.11 | County General Fund |

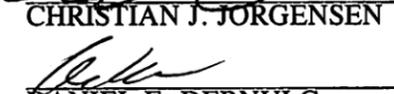
SO RESOLVED THIS 14TH DAY OF SEPTEMBER, 2021.



 DAVID HAMM



 CHRISTIAN J. JORGENSEN



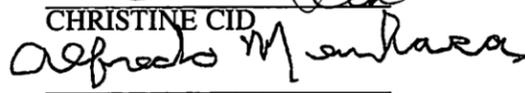
 DANIEL E. DERNULC



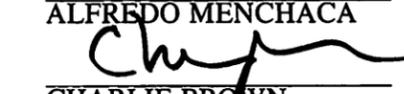
 TED F. BILSKI, President



 CHRISTINE SID



 ALFREDO MENCHACA



 CHARLIE BROWN

Members of the Lake County Council

In the Matter of Resolution of the Lake County Council, Indiana (Hereinafter Referred to as "The Applicant") Authorizing the submittal of the Indiana Emergency Rental Assistance 1.0 ("IERS 1.0") Application to the Indiana Housing and Community Development Authority (IHCDA)

Brown made the motion, seconded by Menchaca, to approve. Majority voted yes. Motion carried 7-0.

RESOLUTION NO. 21-57

**RESOLUTION OF THE LAKE COUNTY COUNCIL, INDIANA
(HEREINAFTER REFERRED TO AS "THE APPLICANT")**

AUTHORIZING THE SUBMITTAL OF THE INDIANA EMERGENCY RENTAL ASSISTANCE 1.0 ("IERA 1.0") APPLICATION TO THE INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY ("IHCDA")

At a regular meeting of the governing body of the Applicant, held on September 14th, 2021, with sufficient notice of the time and place of the meeting having been given and a quorum of the governing body being present as required by the Applicant's statutes and/or bylaws, a majority of those members present at the meeting considered, discussed, consented to, and adopted the following resolutions:

NOW THEREFORE, BE IT RESOLVED THAT:

The Chief Elected Official is authorized to apply for and receive an award in an amount not to exceed Twenty Million and 00/100 Dollars (\$ 20,000,000.00) in IERA 1.0 funding to provide assistance to eligible households in its jurisdiction that are at risk of experiencing homelessness or housing instability and administer any resulting grant of IERA 1.0 funding according to the terms and conditions set forth in IHCDA's and the U.S. Department of Treasury's published policies, procedures and regulations, as amended from time to time, and as set forth in the application.

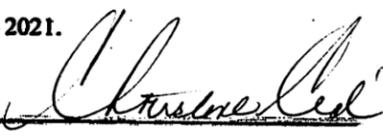
FURTHER RESOLVED, that the following individuals:

| | |
|------------------------|---|
| <u>Michael C. Rapp</u> | <u>President Board of Commissioners</u> |
| Name | Title |

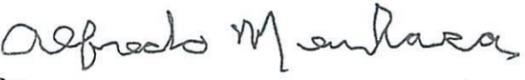
Is hereby authorized, empowered and directed to execute, acknowledge and deliver in the Applicant's name and on its behalf any and all applications, grant agreements, documents, instruments or writings, as are necessary and/or as appropriate to consummate the application and receipt of IERA 1.0 funding.

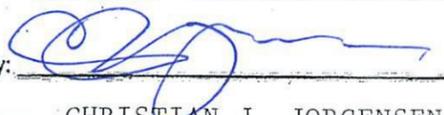
APPROVED AND ADOPTED, this 14th day of September, 2021.

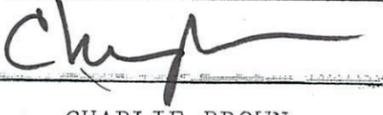
By: 
 Name: TED F. BILSKI
 Title: President Lake County Council

By: 
 Name: CHRISTINE CID
 Title: Lake County Council Member

By: 
Name: DAVID HAMM
Title: Lake County Council Member

By: 
Name: ALFREDO MENCHACA
Title: Lake County Council Member

By: 
Name: CHRISTIAN J. JORGENSEN
Title: Lake County Council Member

By: 
Name: CHARLIE BROWN
Title: Lake County Council Member

By: 
Name: DANIEL E. DERNULC
Title: Lake County Council Member

In the Matter of Ordinance Creating the Lake Circuit Court, Lake Superior Court – Juvenile Division and Lake Superior Court – Civil Division Alternative Dispute Resolution Fee Fund, A Non-Reverting Fund for the Deposit of Alternative Dispute Resolution Fees, Fund No. 409

Jorgensen made the motion, seconded by Hamm, to approve on First Reading. Majority voted yes. Motion to approve on First Reading carried 7-0.

Jorgensen made the motion, seconded by Hamm, to Suspend Rules. Majority voted yes. Motion to Suspend Rules carried 7-0.

Jorgensen made the motion, seconded by Hamm, to approve on Second Reading. Majority voted yes. Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1463A

ORDINANCE CREATING THE LAKE CIRCUIT COURT, LAKE SUPERIOR COURT-JUVENILE DIVISION AND LAKE SUPERIOR COURT-CIVIL DIVISION ALTERNATIVE DISPUTE RESOLUTION FEE FUND, A NON-REVERTING FUND FOR THE DEPOSIT OF ALTERNATIVE DISPUTE RESOLUTION FEES, FUND NO. 409

WHEREAS, pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to promote efficient County Government; and

WHEREAS, pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and

WHEREAS, pursuant to I.C. 36-1-8-4, the Lake County Council may by ordinance or resolution transfer money from one fund to another; and

WHEREAS, the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and

WHEREAS, the Lake County Council desires to create a Lake Circuit Court, Lake Superior Court-Juvenile Division and Lake Superior Court-Civil Division Alternative Dispute Resolution Fee Fund, Fund No. 409 for the deposit of fees to be collected at the time of filing a petition for legal separation, paternity or dissolution of marriage pursuant to I.C. 33-23-6-1.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake Circuit Court, Lake Superior Court-Juvenile Division and Lake Superior Court-Civil Division Alternative Dispute Resolution Fee Fund, a non-reverting fund, Fund No. 409 is established for the deposit of fees collected at the time of filing a petition for legal separation, paternity or dissolution of marriage pursuant to I.C. 33-23-6-1.
2. That appropriations from the separate funds shall be subject to approval by the Lake County Council, or as otherwise provided by law, at the request of the Lake Circuit Court, Lake Superior Court-Juvenile Division and Lake Superior Court-Civil Division be used to foster domestic relations alternative dispute resolution, including mediation, reconciliation, non-binding arbitration and parental counseling as provided by I.C. 33-23-6-2.

- 3. Any money remaining in the separate funds at the end of the year shall not revert to the General Fund but continue in the respect fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.

This Ordinance and the Ordinance Creating the Lake Circuit Court, Lake Superior Court-Juvenile Division and Lake Superior Court-Civil Division Alternative Dispute Resolution Co-Payment Fund, Fund No. 411 repeal and rescind Ordinance No. 1249D and Ordinance No. 1249E.

SO ORDAINED THIS 14 DAY OF SEPTEMBER, 2021.

| | | |
|---|--|---|
|  DAVID HAMM |  TED F. BILSKI, President |  CHRISTINE CID |
|  CHRISTIAN L. JORGENSEN | |  ALFREDO MENCHACA |
|  DANIEL E. DERNULC | |  CHARLIE BROWN |

Members of the Lake County Council

In the Matter of Ordinance Creating the Lake Circuit Court, Lake Superior Court – Juvenile Division and Lake Superior Court – Civil Division Alternative Dispute Resolution Co-Payment Fund, a Non-Reverting Fund for Co-Payments made by Litigants for Alternative Dispute Resolution Services, Fund No. 411

Jorgensen made the motion, seconded by Hamm, to approve on First Reading. Majority voted yes. Motion to approve on First Reading carried 7-0.

Jorgensen made the motion, seconded by Hamm, to Suspend Rules. Majority voted yes. Motion to Suspend Rules carried 7-0.

Jorgensen made the motion, seconded by Hamm, to approve on Second Reading. Majority voted yes. Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1463B

**ORDINANCE CREATING THE
LAKE CIRCUIT COURT, LAKE SUPERIOR COURT-JUVENILE DIVISION
AND LAKE SUPERIOR COURT-CIVIL DIVISION ALTERNATIVE
DISPUTE RESOLUTION CO-PAYMENT FUND, A NON-REVERTING FUND,
FOR CO-PAYMENTS MADE BY LITIGANTS FOR
ALTERNATIVE DISPUTE RESOLUTION SERVICES, FUND NO. 411**

WHEREAS, pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to promote efficient County Government; and

WHEREAS, pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and

WHEREAS, pursuant to I.C. 36-1-8-4, the Lake County Council may by ordinance or resolution transfer money from one fund to another; and

WHEREAS, the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and

WHEREAS, the Lake County Council desires to create the Lake Circuit Court, Lake Superior Court-Juvenile Division and Lake Superior Court-Civil Division Alternative Dispute Resolution Co-Payment Fund, Fund No. 411, for the co-payments made by litigants referred by the court for services covered by the fund in an amount determined by the court based on the litigants' ability to pay pursuant to I.C. 33-23-6-2.

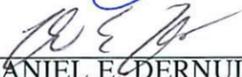
NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake Circuit Court, Lake Superior Court-Juvenile Division and Lake Superior Court-Civil Division Alternative Dispute Resolution Co-Payment Fund, a non-reverting fund, Fund No. 411 is established for the deposit of co-payments collected pursuant to I.C. 33-23-6-2.
2. That appropriations from the separate funds shall be subject to approval by the Lake County Council, or as otherwise provided by law, at the request of the Lake Circuit Court, Lake Superior Court-Juvenile Division and Lake Superior Court-Civil Division be used to foster domestic relations alternative dispute resolution, including mediation, reconciliation, non-binding arbitration and parental counseling as provided by I.C. 33-23-6-2.

- 3. Any money remaining in the separate funds at the end of the year shall not revert to the General Fund but continue in the respect fund, subject to appropriation by the Lake County Council, or as otherwise provided by law.

This Ordinance and the Ordinance Creating the Lake Circuit Court, Lake Superior Court-Juvenile Division and Lake Superior Court-Civil Division Alternative Dispute Resolution Fee Fund, Fund No. 409 repeal and rescind Ordinance No. 1249D and Ordinance No. 1249E.

SO ORDAINED THIS 14 DAY OF SEPTEMBER, 2021.

| | | |
|---|---|---|
|  <hr/> DAVID HAMM |  <hr/> TED F. BILSKI, President |  <hr/> CHRISTINE CID |
|  <hr/> CHRISTIAN I. JORGENSEN | |  <hr/> ALFREDO MENCHACA |
|  <hr/> DANIEL E. DERNULC | |  <hr/> CHARLIE BROWN |

Members of the Lake County Council

In the Matter of Ordinance Amending the Lake County Part-Time Employees Pay Rate Ordinance for 2021 Ordinance No. 1453B for the Lake Superior Court, County Division III

Jorgensen made the motion, seconded by Hamm, to approve on First Reading. Majority voted yes. Motion to approve on First Reading carried 7-0.

Jorgensen made the motion, seconded by Hamm, to Suspend Rules. Majority voted yes. Motion to Suspend Rules carried 7-0.

Jorgensen made the motion, seconded by Hamm, to approve on Second Reading. Majority voted yes. Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1453B-8

ORDINANCE AMENDING THE LAKE COUNTY PART-TIME EMPLOYEES PAY RATE ORDINANCE FOR 2021, ORDINANCE NO. 1453B

WHEREAS, on December 8, 2020, the Lake County Council adopted the Lake County Part-Time Employees Pay Rate Ordinance for 2021, Ordinance No. 1453B; and

WHEREAS, the Lake County Council now desires to amend the Ordinance.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That the following section be amended and adopted as follows:

DELETE:

Section IV.

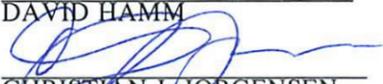
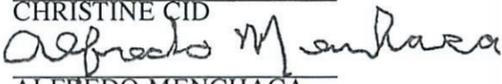
- 19. Lake Superior Court, County Div. III
 - a. Probation monitor 10.00/hr.
 - b. Court Reporter 10.00/hr.
 - c. Bailiff 15.00/hr.
 - d. Secretary/receptionist 10.50/hr.
 - e. Bailiff-Veterans Treatment Court 12.00/hr.

INSERT:

Section IV.

- 19. Lake Superior Court, County Div. III
 - a. Probation monitor 10.00/hr.
 - b. Court Reporter 10.00/hr.
 - c. Bailiff 20.00/hr.
 - d. Secretary/receptionist 10.50/hr.
 - e. Bailiff-Veterans Treatment Court 12.00/hr.

SO ORDAINED THIS 14 DAY OF SEPTEMBER, 2021.

| | | |
|--|---|--|
|  _____ DAVID HAMM |  _____ TED F. BILSKI, President |  _____ CHRISTINE CID |
|  _____ CHRISTIAN J. JORGENSEN | |  _____ ALFREDO MENCHACA |
|  _____ DANIEL E. DERNULC | |  _____ CHARLIE BROWN |

Members of the Lake County Council

In the Matter of Ordinance Establishing the Lake County Community Economic Development Departments U.S. Department of the Treasury American Rescue Plan Act (ARP) Emergency Rental Assistance (ERA) Direct Grant Fund, a Non-Reverting Fund

Brown made the motion, seconded by Menchaca, to approve on First Reading. Majority voted yes. Motion to approve on First Reading carried 7-0.

Brown made the motion, seconded by Hamm, to Suspend Rules. Majority voted yes. Motion to Suspend Rules carried 7-0.

Brown made the motion, seconded by Hamm, to approve on Second Reading.

Ray Szarmach – Back in August we appropriated \$4.6 million but it was placed in another fund by mistake. The fund that we are creating today will be the correct fund that the \$4.6 million will be transferred into. What we are doing today reverts back to the August meeting so we don't have to re-appropriate it.

Jeanann Ficker – The federal government has distributed a great deal of funding for the Emergency Rental Assistance Program to keep folks who have been negatively and economically impacted by COVID-19 in their rental properties. Last year we created the Coronavirus Relief Fund Emergency Assistance Grant Fund to receive and expend the first batch of funding. There was a second batch of funding that came in. The LCCEED was awarded about 11.5 million but this second batch of funding was made possible by the American Rescue Plan. The State Board of Accounts requires for every grant, from CRF or the American Rescue Plan, that we have a separate fund. Last month, there was an additional appropriation request that was legally advertised and came before the council. It was approved for \$4.6 million dollars which was the forty percent advance of Emergency Rental Assistance that came from the ARP. Unfortunately, the additional appropriation request that came before the council misidentified the source of that funding as Coronavirus Relief Fund Emergency Rental Assistance. I contacted the State Board of Accounts because the LCCEED said they needed to have access to the second batch of funding before we could legally advertise again. The State Board of Accounts gave us some good news for a change, and they said since the council had already approved the legally advertised additional appropriations in the amount of roughly 4.6 million dollars and even though the source of the funding was misidentified, no additional appropriations process is required for the same batch of funds. So, after the council establishes the County's American Rescue Plan Emergency Rental Assistance Grant Fund, the finance department (in the auditor's office) can make a journal entry to correct the misidentification on the additional appropriation from last month and the additional appropriations and line items approved last month will move with the 4.6 million dollars in American Rescue Plan Emergency Rental Assistance Program Funding to the new fund that the council is about to create.

Majority voted yes. Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1463C

ORDINANCE ESTABLISHING THE LAKE COUNTY COMMUNITY ECONOMIC DEVELOPMENT DEPARTMENT'S U.S. DEPARTMENT OF THE TREASURY AMERICAN RESCUE PLAN ACT (ARP) EMERGENCY RENTAL ASSISTANCE (ERA) DIRECT GRANT FUND, A NON-REVERTING FUND

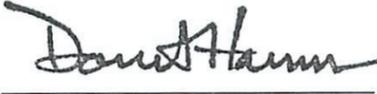
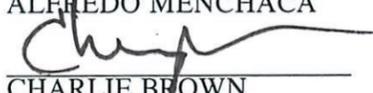
- WHEREAS,** pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to promote efficient County Government; and
- WHEREAS,** pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and
- WHEREAS,** the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and
- WHEREAS,** the Lake County Community Economic Development Department (LCCEDD) has been awarded a grant from the U.S. Department of the Treasury made possible from the American Rescue Plan Act of 2021 (ARP) Emergency Rental Assistance. The LCCEDD must use ninety percent of awarded ARP-ERA Grant Funds to provide financial assistance, including back and forward rent and utility payments, and other housing expenses.; LCCEDD may use up to ten percent of awarded funds to administer the ARP-ERA Grant Program including case management and other services related to the COVID-19 public health emergency as defined by the Treasury Secretary; and
- WHEREAS,** the ERA assistance may be provided to renter households that: (1) qualify for unemployment or have experienced significant income reduction, or have experienced financial hardship due to COVID-19; (2) demonstrate a risk of homelessness or housing instability; and/or (3) have a household income at or below eighty percent of the area's median; Assistance can be provided for up to 12 months of grant funded rent and/or utility assistance, plus an additional three months if funding is available and payments shall be made directly to landlords and/or utility companies; and
- WHEREAS,** eligible households that include an individual who has been unemployed for the 90 days prior to application for assistance and households with income at or below fifty percent of the area median are to be prioritized for assistance; and
- WHEREAS,** the Lake County Council desires to create an American Rescue Plan (ARP) Emergency Rental Assistance (ERA) Direct Grant Fund for the Lake County Community Economic Development Department from the U.S. Department of Treasury.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

- 1. That the Lake County Community Economic Development's American Rescue Plan (ARP) Emergency Rental Assistance (ERA) Direct Grant Fund, a non-reverting fund, is established.
- 2. That pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

- 3. Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake County Community Economic Development's American Rescue Plan (ARP) Emergency Rental Assistance (ERA) Direct Grant Fund.
- 4. The LCCEDD agrees to return unobligated funds to the U.S. Dept. of the Treasury at the conclusion of the grant period pursuant to Section 3201(a) of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (March 11, 2021).

SO ORDAINED THIS 14 DAY OF September, 2021.

| | | |
|---|---|---|
|  _____ DAVID HAMM |  _____ TED F. BILSKI, President |  _____ CHRISTINE CID |
|  _____ CHRISTIAN J. JORGENSEN | |  _____ ALFREDO MENCHACA |
|  _____ DANIEL E. DERNULC | |  _____ CHARLIE BROWN |

Members of the Lake County Council

In the Matter of Ordinance Amending Ordinance No. 1459B, the Ordinance Declaring Funds Not Created by an Ordinance as Dormant and Inactive

Dernulc made the motion, seconded by Jorgensen, to approve on First Reading. Majority voted yes. Motion to approve on First Reading carried 7-0.

Dernulc made the motion, seconded by Jorgensen, to Suspend Rules. Majority voted yes. Motion to Suspend Rules carried 7-0.

Dernulc made the motion, seconded by Jorgensen, to approve on Second Reading. Majority voted yes. Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1459B-4

ORDINANCE AMENDING ORDINANCE NO. 1459B,
THE ORDINANCE DECLARING FUNDS NOT
CREATED BY ORDINANCE AS DORMANT AND INACTIVE

WHEREAS, on May 11, 2021, the Lake County Council adopted the Ordinance Declaring Funds not Created by Ordinance as Dormant and Inactive, Ordinance No. 1459B; and

WHEREAS, the Lake County Council now desires to amend Ordinance No. 1459B in order to add the following funds not created by Ordinance as dormant and inactive:

- Fund 187 Food Handlers Books
- Fund 200 Personal Property Tax Coll. BNJ.
- Fund 201 Personal Property Tax Coll. King
- Fund 203 Personal Property Taxes/Brown's Prof.
- Fund 562 American Family Cancer Center
- Fund 571 Inheritance Revenue Fund
- Fund 576 Prudential Life
- Fund 579 Military Fines
- Fund 581 American Family Life.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That Ordinance No. 1459B shall be amended by adding the following funds not created by Ordinances as declared dormant and inactive:

- Fund 187 Food Handlers Books
- Fund 200 Personal Property Tax Coll. BNJ.
- Fund 201 Personal Property Tax Coll. King
- Fund 203 Personal Property Taxes/Brown's Prof.
- Fund 562 American Family Cancer Center
- Fund 571 Inheritance Revenue Fund
- Fund 576 Prudential Life
- Fund 579 Military Fines
- Fund 581 American Family Life

SO ORDAINED THIS 14th DAY OF SEPTEMBER, 2021.

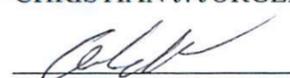


TED F. BILSKI, President

DAVID HAMM



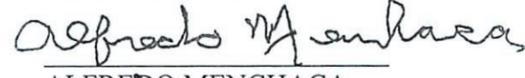
CHRISTIAN J. JORGENSEN



DANIEL E. DERNULC



CHRISTINE CID



ALFREDO MENCHACA



CHARLIE BROWN

Members of the Lake County Council

In the Matter of Ordinance Amending Ordinance No. 1459C, the Ordinance Declaring Funds Dormant and Repealing and Rescinding the Ordinance Establishing the Funds

Dernulc made the motion, seconded by Jorgensen, to approve on First Reading. Majority voted yes. Motion to approve on First Reading carried 7-0.

Dernulc made the motion, seconded by Jorgensen, to Suspend Rules. Majority voted yes. Motion to Suspend Rules carried 7-0.

Dernulc made the motion, seconded by Jorgensen, to approve on Second Reading. Majority voted yes. Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1459C-5

ORDINANCE AMENDING ORDINANCE NO. 1459C, THE
ORDINANCE DECLARING FUNDS DORMANT AND
REPEALING AND RESCINDING THE ORDINANCE ESTABLISHING THE FUNDS

WHEREAS, on May 11, 2021, the Lake County Council adopted the Ordinance Declaring Funds Dormant and Repealing and Rescinding the Ordinance Establishing the Funds, Ordinance No. 1459C; and

WHEREAS, the Lake County Council now desires to amend Ordinance No. 1459C in order to add the following funds created by Ordinance as dormant and repealing and rescinding the Ordinance establishing the funds:

- Fund 169 Stop Violence Against Women Ordinance No. 1282D
- Fund 319 G.O. Bond Series 2014B Ordinance No. 1380B.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

That Ordinance No. 1459C shall be amended by adding the following funds created by Ordinances as dormant and repealing and rescinding the Ordinances establishing the funds:

- Fund 169 Stop Violence Against Women Ordinance No. 1282D
- Fund 319 G.O. Bond Series 2014B Ordinance No. 1380B

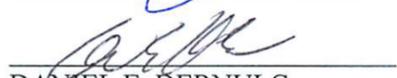
SO ORDAINED THIS 14th DAY OF SEPTEMBER, 2021.



TED F. BILSKI, President



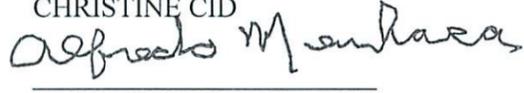
CHRISTIAN J. JORGENSEN



DANIEL E. DERNULC



CHRISTINE CID



ALFREDO MENCHACA



CHARLIE BROWN

Members of the Lake County Council

In the Matter of Ordinance Creating the Lake County Superior Court, County Division 4, Problem Solving Grant Drug Court Grant Fund, a Non-Reverting Fund

Hamm made the motion, seconded by Dernulc, to approve on First Reading. Majority voted yes. Jorgensen voted to abstain. Motion to approve on First Reading carried 6-yes 1-abstention.

Hamm made the motion, seconded by Dernulc, to Suspend Rules. Majority voted yes. Motion to Suspend Rules carried 7-0.

Hamm made the motion, seconded by Dernulc, to approve on Second Reading. Majority voted yes. Motion to approve on Second Reading carried 6-yes 1-abstention.

ORDINANCE NO. 1463D

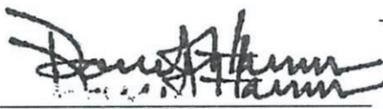
ORDINANCE CREATING THE LAKE COUNTY SUPERIOR COURT, COUNTY DIVISION 4, PROBLEM SOLVING COURT-DRUG COURT GRANT FUND, A NON-REVERTING FUND

- WHEREAS**, pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to promote efficient County Government; and
- WHEREAS**, pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and
- WHEREAS**, pursuant to I.C. 36-1-8-4, the Lake County Council may by ordinance or resolution transfer money from one fund to another; and
- WHEREAS**, the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council approval; and
- WHEREAS**, that the Indiana Supreme Court has awarded to Lake County Superior Court, County Division 4, Problem Solving Court - Drug Court Grant Fund of Ten Thousand (\$10,000.00) Dollars; pursuant to the grant the funds shall be used for incentives and chemical tests; and
- WHEREAS**, the Lake County Council desires to create the Lake County Superior Court, County Division 4, Problem Solving Court - Drug Court Grant Fund, a non-reverting fund.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake County Council hereby establishes the Lake County Superior Court, County Division 4, Problem Solving Court - Drug Court Grant Fund, a non-reverting Fund for the deposit of Ten Thousand (\$10,000.00) Dollars from the Indiana Supreme Court.
2. That pursuant to I.C. 36-2-5-2(b), the Lake County Council as the fiscal body, shall appropriate all money to be paid out of the fund, except as otherwise provided by law.
3. Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake County Superior Court, County Division 4, Problem Solving Court - Drug Court Grant Fund, subject to appropriation by the Lake County Council.

SO ORDAINED THIS 14 DAY OF September, 2021.



DAVID HAMM

ABSTAIN

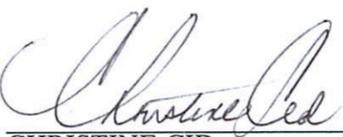
CHRISTIAN J. JORGENSEN



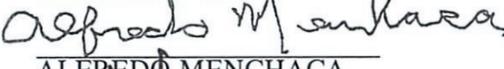
DANIEL E. DERNULC



TED F. BILSKI, President



CHRISTINE CID



ALFREDO MENCHACA



CHARLIE BROWN

Members of the Lake County Council

In the Matter of Ordinance Establishing the Lake County Community Economic Development Department's U.S Department of the Treasury Coronavirus Relief Fund (CRF) Emergency Rental Assistance (ERA) Pass through Grant Fund, a Non-Reverting Fund

Brown made the motion, seconded by Hamm, to approve on First Reading. Majority voted yes. Motion to approve on First Reading carried 7-0.

Brown made the motion, seconded by Hamm, to Suspend Rules. Majority voted yes. Motion to Suspend Rules carried 7-0.

Brown made the motion, seconded by Hamm, to approve on Second Reading. Majority voted yes. Motion to approve on Second Reading carried 7-0.

ORDINANCE NO. 1463E

ORDINANCE ESTABLISHING THE LAKE COUNTY COMMUNITY ECONOMIC DEVELOPMENT DEPARTMENT'S U.S. DEPARTMENT OF THE TREASURY CORONAVIRUS RELIEF FUND (CRF) EMERGENCY RENTAL ASSISTANCE (ERA) PASS THROUGH GRANT FUND, A NON-REVERTING FUND

- WHEREAS,** pursuant to I.C. 36-2-3.5-5, the County Council shall adopt ordinances to promote efficient County Government; and
- WHEREAS,** pursuant to I.C. 36-2-5-2(b), the County Council shall appropriate money to be paid out of the County Treasury, and money may be paid from the County Treasury only under appropriation made by the County Council, except as otherwise provided as law; and
- WHEREAS,** the Lake County Council desires to establish by ordinance all funds within the County Treasury, from which appropriations and transfers require County Council and Indiana Housing and Community Development Authority (ICHDA) approval; and
- WHEREAS,** the Lake County Community Economic Development Department (LCCEDD) anticipates receiving a federal grant from the U.S. Department of the Treasury's Coronavirus Relief Fund (CRF) Emergency Rental Assistance Program. The LCCEDD must use ninety percent of awarded CRF-ERA Grant Funds to provide financial assistance, including back and forward rent and utility payments, and other housing expenses.; LCCEDD may use up to ten percent of awarded funds to administer the CRF-ERA Grant Program including case management and other services related to the COVID-19 public health emergency as defined by the Treasury Secretary; and
- WHEREAS,** the ERA assistance may be provided to renter households that: (1) qualify for unemployment or have experienced significant income reduction, or have experienced financial hardship due to COVID-19; (2) demonstrate a risk of homelessness or housing instability; and/or (3) have a household income at or below eighty percent of the area's median; Assistance can be provided for up to 12 months of grant funded rent and/or utility assistance, plus an additional three months if funding is available and payments shall be made directly to landlords and/or utility companies; and
- WHEREAS,** eligible households that include an individual who has been unemployed for the 90 days prior to application for assistance and households with income at or below fifty percent of the area median are to be prioritized for assistance; and
- WHEREAS,** the Lake County Council desires to create a Coronavirus Relief Fund (CRF) Emergency Rental Assistance (ERA) Pass Through Grant Fund for the Lake County Community Economic Development Department from the U.S. Department of Treasury.

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

1. That the Lake County Community Economic Development's Coronavirus Relief Fund (CRF) Emergency Rental Assistance (ERA) Pass Through Grant Fund, a non-reverting fund, is established.
2. That pursuant to I.C. 36-2-5-2(b), the Lake County fiscal body shall appropriate all money to be paid out of the fund, except as otherwise provided by law.

3. Any money remaining in the fund at the end of the year shall not revert to any other fund but continues in the Lake County Community Economic Development's Coronavirus Relief Fund (CRF) Emergency Rental Assistance (ERA) Pass Through Grant Fund.
4. The LCCEDD agrees to repay excess funds to the Indiana Housing and Community Development Authority or the U.S. Dept. Of the Treasury at the conclusion of the grant period pursuant to Section 501(d).

SO ORDAINED THIS 14 DAY OF September, 2021.



DAVID HAMM



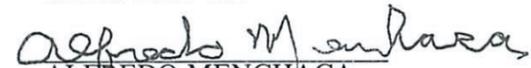
TED F. BILSKI, President



CHRISTINE CID



CHRISTIAN J. JORGENSEN



ALFREDO MENCHACA



DANIEL E. DERNULC



CHARLIE BROWN

Members of the Lake County Council

In the Matter of Plan Commission 2400 – Plan Commission Ordinance 2539 – Jeffrey C. Pals, Owner/Petitioner 8-18-2021, A-1 to RR Favorable Recommendation (Vote 6-0)

Jorgensen made the motion, seconded by Hamm, to approve proposal. Majority voted yes. Motion to approve proposal carried 7-0.

**ORDINANCE #2539
OF THE COUNTY OF LAKE**

AN ORDINANCE TO AMEND the Certified Zoning Maps of the County of Lake, Indiana to make provisions for a ZONE CHANGE (Lake County Plan Commission made a favorable recommendation August 18, 2021).

BE IT ORDAINED by the County Council of Lake County, Indiana as follows:

ZONE CHANGE from A-1 (Agricultural Zone) to RR (Rural Residential) owned and petitioned by Jeffrey C. Pals for a proposed one-lot single family residential development on the following described property:

General Location: Located approximately 1/2 of a mile east of Montgomery Street on the south side of 137th Avenue, a/k/a 7925 E. 137th Avenue in Winfield Township.

LEGAL DESCRIPTION: The East 1/2 of the following described parcel: A part of Section 29, Township 34 North, Range 7 West of the 2nd P.M., in Lake County, Indiana, described as follows: The Northeast Quarter of the Southeast Quarter, except therefrom that part thereof described as commencing at the Northeast corner of said Quarter Quarter Section and running thence South along the East line of said Quarter Quarter Section 170 feet; thence West 150 feet; thence North 170 feet to the North line of said Quarter Quarter Section; thence East along the North line of said Quarter Quarter Section to the place of beginning.

IS HEREBY x BY THE COUNTY COUNCIL
APPROVED DENIED REMANDED

OF LAKE COUNTY, INDIANA, THIS 14th DAY OF September , 2021.

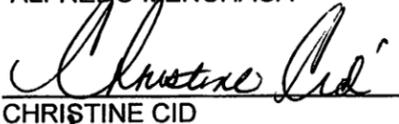
MEMBERS OF THE LAKE COUNTY COUNCIL



TED BILSKI, PRESIDENT



ALFREDO MENCHACA


CHRISTINE CID


CHARLIE BROWN


DANIEL DERNULC


CHRISTIAN JORGENSEN


DAVID HAMM

In the Matter of Discussion/Action – Lake County Health Order 21-01

16-20-1-21.5(f)(1) – If a local order addresses any aspect of a declared emergency that is not addressed by an executive order or if a local order addressed an aspect of a declared emergency more stringently than an executive order, the local order may not take effect, or remain in effect, unless the local order is approved as follows:

- (1) If the local order is issued by the health department of a county, the local order must be approved by the county legislative body.

Brown made the motion, seconded by Cid, to approve Health Order 21-01.

Hamm - Being that we have elected officials who sit on our school boards, and parents who can make these decisions, I cannot in good conscious, support this. I would also not support if there were a suggestion that a child could not wear a mask. I think that decision should be left up to the parents and the local school board.

Brown – If in fact this does not get four votes today, does that preclude the doctor from submitting another order?

Szarmach – No. If this fails, she can submit another order at any time. She can submit another order as long as the Governor's order is in effect. What you're doing by voting yes on this, is you're taking the power away from the governor. The governor gave it (authority) already to the school boards. So, you're taking it away from the school boards and giving it to the Lake County Health Department.

Cid – Early on I took a stance that I would support the advice of the health officer; who I feel is more educated on the subject matter than I am. Last night I prayed that I was making the right decision so I asked God for a sign. I don't mean to mix politics and religion but the first thing that I saw when I woke up today was a gold ribbon. The gold ribbon is for childhood cancer, fighting for children to live a healthier life and not to have to die from cancer. This is a sign that I should stand for children and that they can live a long healthy and happy life. This is why I'm going to vote in favor of this.

Menchaca – We all have a district to represent. I'm going to vote in favor of this mandate because that is what my district asked me to do.

Jorgensen – I concur completely with Councilman Hamm. This is Government 101. This is a local and parental issue and it should be going forward.

Dernulc – I concur with Christian and David. I received tons of calls and a lot of emails. Probably a thousand at least. It's a debatable item. I'm going to vote in favor of our freedoms. I want the parents to make those decisions for their children. There are reasons that sometimes the children can't wear mask. They might have some type of anxiety. That's where I stand. I do appreciate everyone sending in information to me and to the council members. This is not an easy decision but it's a decision that we're here to make.

Brown – Approximately 120 healthcare professionals submitted the following:

"We physicians and health care professionals of Lake County, ask the lake county council members to enact the mask mandate for Lake County schools. We ask for your leadership in helping schools implement recommendations set forth by the Centers for Disease Control and Prevention, American Academy of Pediatrics and the Indiana State Health department. We recommend evidence based layered approach is best to limit transmission during the school year and maintain in person learning. In addition to three-foot distancing and hygiene and adequate ventilation, a mask mandate in schools will help protect children, families and communities in the on-going COVID pandemic. Not only does layered approach decrease the risk of transmission and thus illness in students and staff, but it will tremendously reduce the amount of home quarantine that must occur when a teacher or student test positive. Thank you for your thoughtful guidance and care through the unprecedented times."

Jorgensen – These recommendations are just simply misdirected. There is an elected body called the school board that are just like we are. They are responsible to the parents and to the schools. These recommendations, whether you agree or don't agree with them, should be going to them to make the decisions. That's fundamental government 101. I wouldn't excerpt their authority, and I don't like it when Indianapolis excerpts our authority but we'd be doing the exact same thing.

Mary Henderson (Crown Point), Anwara Marsh (Munster), Ron Segert (Crown Point), Robert Craig (Crown Point), Laura Dubish (St. John), Susan Cosenza (Schererville), Carrie Edwards (Crown Point), Kristen Bruinius (Cedar Lake) and others remonstrated against Health Order 21-01 submitted by Health Officer, Chandana Vavilala.

Brown – The chicken pox, polio, mumps; there's a list of mandates that we all had to follow in order to enter schools. You have to follow the law. We have to implement the law. Everything isn't unanimous in terms of people agreeing or disagreeing. I appreciate the fact that you all came here to indicate your preference for mask but in any democracy, the majority rules. Be respectful. Be civil. That's what's destroying our country today. The absence of civility. I only ask that you respect that fact that we have decisions to make and you may not agree with them. But the fact remains, it is our decision to make.

Hamm – I'm going to walk out of here today, regardless of this vote, respecting each and every one of my colleagues. We have an understanding that we can agree to disagree and when we are done.

Menchaca – Many of you have stated that I'm here representing for votes. That's not true. I've heard some good statements today. I'm going to sleep good at night with my vote.

Dernulc – We don't agree on everything but we do respect each other. This is a decision that is not easy for any of us. I know where I stand and its not with all of you but we work as a body. That's why there are seven of us and not just one to make the decisions. I might not agree how this vote comes out but we have to move on. Just be respectful.

Bilski – I'm about voicing your opinion and following the rules. I do support the mask, I have a different opinion about what works and what doesn't. I believe in the vaccine. I was vaccinated. I have that opinion. I also believe in government. I do not think this is an issue that should be in front of this body. That this is an issue that this body should have to act on. I do truly respect Dr. V. I think she has more data and more information. The guy that said "its because of Biden". That's why we're in a problem as a nation because we've made these definitive choices instead of supporting one another and supporting the issue. When I call for my vote, its going to be based on what information was out there but procedurally where it should be. Not just what I believe or don't believe because that becomes too personal. I do think that the vaccine helps, I do believe that mask slow it down. However, there's procedures and how things should be done and I'll be placing my vote on that.

Majority voted no. Cid and Brown voted yes. Motion to approve Health Order 21-01 failed. Motion carried 5-no, 2-yes.

Lake County Health Order 21-01

Sandra L. Smoljan

Sent: Monday, August 16, 2021 6:25 PM

To: Ted F. Bilski

Cc: Cid, Christine; Dernulc, Daniel; Jorgensen, Christian J; Menchaca, Alfredo; Brown, Charlie; Hamm, Dave; Szarmach, Ray L; Michael C. Repay; Jerry Tippy; Allen, Kyle W; Fech, Matthew N; Cantrell, John R; Fech, Matthew N; John Cantrell [jcantrell30@hotmail.com]; Lyda Olund [lydaolund@gmail.com]; Maria Hoyer-Lareau [MLAREAU@methodisthospitals.org]; Philip Golden < Chiedu Nchekwube [nchekwuben@aol.com]; Deborah McCullough [dlmmcc67@aol.com]; Fech, [golden4council@aol.com]; Sandra L. Smoljan; T.J. Wigmore [wigmoretj@gmail.com]; Vavilala, Chandana; Nick Doffin

Attachments: dr..pdf (86 KB)

Dear President Bilski,

Based on the continual increase in COVID-19 positivity, ER visits, hospitalizations throughout Lake County, the highly transmissibility of the Delta Variant, the current CDC guidelines, the Lake County Health Board Members opinions and weighing the benefits of masking to protect all of our students as well as vulnerable population, I as the Lake County Health Officer recommend that masks be mandated in all Lake County schools.

Attached is the Lake County mask mandate we are requesting for approval by the Lake County Council members.

Sincerely,

Chandana Vavilala, M.D.
Lake County Health Officer



755-3655/755-3656/755-3657

Chandana Vavilala, M.D.
Health Officer

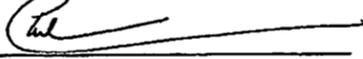
LAKE COUNTY HEALTH ORDER 21-01

Due to the continued threat to public health and safety currently posed by COVID-19, as well as the related variants of the virus currently circulating in the United States, and the recent increase in cases nationally and locally, the Centers for Disease Control and Prevention (CDC) and other public health and governmental authorities have advised individuals and entities to take precautions to slow the spread of COVID-19. Specifically, on July 27, 2021, the CDC recommended that all individuals, regardless of vaccination status, wear face coverings in public indoor settings in areas of substantial or high transmission.

The Lake County Health Department will mandate/require masks for all Lake County students attending classroom instruction at public, private, parochial and charter schools for grades Kindergarten through 12th. Masks will also be required for all grades at indoor, high-density events where social distancing may not be practical. Masks are not required for outdoor sports or play. The duration of this order is until September 30th and may be broadened or extended based on community and school incidence as well as other factors.

The Delta Variant is a significant public health threat to our community. Nationally, in just three months this strain has increased from 1% of cases in May to 93% of cases in August. In Indiana, 96% of infections currently sequenced are Delta Variant. The viral load of the Delta Variant is 1,000 times that of the initial COVID-19 type, and Delta Variant is twice as transmissible as the initial strain. According to the Centers for Disease Control and Prevention (CDC), given what we know about the Delta Variant, vaccine effectiveness and current vaccine coverage, layered prevention strategies, such as wearing masks, are needed to reduce the transmission of this variant. The CDC now recommends even fully vaccinated people to wear a mask in indoor public spaces and recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status.

Multiple studies have shown the benefits of in-classroom model of education for all children and an aggressive masking program is our current best option to keeping students in the schoolhouse.



Chandana Vavilala, M.D.
Health Officer

8/16/21
Date

Effective Date

16-20-1-21.5 Declared emergency; relationship of executive..., IN ST 16-20-1-21.5

West's Annotated Indiana Code
Title 16. Health
Article 20. Local Health Departments
Chapter 1. Powers and Duties of Local Health Departments

IC 16-20-1-21.5

16-20-1-21.5 Declared emergency; relationship of executive orders
and local orders; approval of local orders by legislative body

Effective: May 10, 2021
Currentness

Sec. 21.5. (a) This section applies only if the governor has declared an emergency under IC 10-14-3.

(b) As used in this section, "executive order" refers to an executive order issued by the governor under IC 10-14-3.

(c) As used in this section, "legislative body" means the following:

- (1) Except as provided in subdivision (2), the board of county commissioners for a county operating a county health department under IC 16-20-2 or participating in a multiple county health department under IC 16-20-3.
- (2) The county council for a county that is subject to IC 36-2-3.5.
- (3) The common council, for a city (as defined in IC 36-1-2-3) that operates a city health department under IC 16-20-4.

(d) As used in this section, "local order" refers to the health laws, ordinances, orders, rules, and regulations of a board of health under this chapter.

(e) If a local order addresses any aspect of a declared emergency addressed by an executive order, the local order may be less stringent than the executive order to the extent permitted by the executive order.

(f) If a local order addresses any aspect of a declared emergency that is not addressed by an executive order or if a local order addresses an aspect of a declared emergency more stringently than an executive order, the local order may not take effect, or remain in effect, unless the local order is approved as follows:

- (1) If the local order is issued by the health department of a county, the local order must be approved by the county legislative body.

16-20-1-21.5 Declared emergency; relationship of executive..., IN ST 16-20-1-21.5

(2) If the local health order is issued by a health department that serves multiple counties, the local order may take effect, or remain in effect, for a particular county served by the department if the legislative body of that county approves the local order.

(3) If the local order is issued by the health department of a city, the local order must be approved by an ordinance adopted by the city legislative body that is:

(A) approved by the mayor; or

(B) passed over the mayor's veto by a two-thirds ($\frac{2}{3}$) vote.

(g) A legislative body may approve a local order under subsection (f) at a meeting called to deal with an emergency as long as notice of the meeting is provided in accordance with IC 5-14-1.5-5(d).

Credits

As added by P.L.219-2021, SEC.4, eff. May 10, 2021.

I.C. 16-20-1-21.5, IN ST 16-20-1-21.5

The statutes and Constitution are current with all legislation of the 2021 First Regular Session of the 122nd General Assembly effective through July 1, 2021.

End of Document

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16-20-1-24 Epidemic control; powers, IN ST 16-20-1-24

KeyCite Yellow Flag - Negative Treatment
Proposed Legislation

West's Annotated Indiana Code
Title 16. Health
Article 20. Local Health Departments
Chapter 1. Powers and Duties of Local Health Departments

IC 16-20-1-24

16-20-1-24 Epidemic control; powers

Effective: July 1, 2021
Currentness

Sec. 24. (a) Local health officers may order schools closed and forbid public gatherings when considered necessary to prevent and stop epidemics.

(b) A local health officer may order a religious organization closed only if the order complies with IC 10-14-3-12.5 through IC 10-14-3-12.7.

(c) An individual who takes action under this section shall comply with state laws and rules.

Credits

As added by P.L.2-1993, SEC.3. Amended by P.L.99-2021, SEC.8, eff. July 1, 2021.

Editors' Notes

Relevant Additional Resources

Additional Resources listed below contain your search terms.

HISTORICAL AND STATUTORY NOTES

2021 Legislation

P.L.99-2021, Sec.8, in Subsec. (a), deleted "and churches" following "may order schools"; inserted a new Subsec. (b); and redesignated previously designated Subsec. (b) as (c).

Formerly:

IC 16-1-4-10.

Acts 1949, c. 157, s. 409.

16-20-1-24 Epidemic control; powers, IN ST 16-20-1-24

P.L.27-1991, SEC.27.

CROSS REFERENCES

State board of health, epidemics, powers and duties, see IC 16-19-3-10.

Relevant Notes of Decisions (5)

[View all 5](#)

Notes of Decisions listed below contain your search terms.

In general

Bar and nightclub owners' allegations that mayor and city worked "in conjunction" with county health department in issuing orders restricting operation of bars and nightclubs due to COVID-19 pandemic failed to state a § 1983 claim against city and mayor for alleged unconstitutionality of the public health orders or a claim for declaratory and injunctive relief; owners did not furnish any specifics about how city and mayor were involved in issuing the orders, orders were issued by county health department and its director pursuant to statutory authority, owners' conclusions were unsupported by factual allegations, and owners did not explain how city and mayor were liable for actions that were taken by health department director. *Bar Indy LLC v. City of Indianapolis*, S.D.Ind.2021, 2021 WL 51032. [Health](#) 386; [Municipal Corporations](#) 597

Exercise of supplemental jurisdiction over bar and nightclub owners' state law claims was warranted in their action challenging county public health department's orders imposing restrictions on their establishments during COVID-19 pandemic violated their rights under state and federal constitutions, Indiana Home Rule Act, and Indiana's epidemic statute, despite owner's contentions that their claims presented novel questions of state law and that their substantially predominated; state constitutional claims mirrored federal constitutional claims, claims were not particularly complex, state law provided ample guidance in how to interpret statutes, claims rested on same set of facts, and remand of state law claims would require parties to litigate same facts in two forums. *Bar Indy LLC v. City of Indianapolis*, S.D.Ind.2020, 2020 WL 7585709. [Federal Courts](#) 2548

Bar and nightclub owners failed to establish likelihood of success on merits of their claim that county public health department's director and chief medical officer lacked authority under Indiana law to restrict gatherings at their establishments because of COVID-19 pandemic, for purposes of determining their entitlement to preliminary injunctive relief; Indiana's epidemic statute and health & hospital code permitted local health officers to "forbid public gatherings when considered necessary to prevent and stop epidemics," statute did not impose any temporal limitations, and there was no evidence that restrictions were not necessary to control epidemic. *Bar Indy LLC v. City of Indianapolis*, S.D.Ind.2020, 2020 WL 7585709. [Health](#) 386; [Injunction](#) 1372; [Injunction](#) 1382; [Injunction](#) 1401

Bar and nightclub owners failed to establish likelihood of success on merits of their claim that statutes delegating to public health officers authority to restrict gatherings at their establishments because of COVID-19 pandemic violated Indiana Constitution's separation-of-powers doctrine, for purposes of determining owners' entitlement to preliminary injunctive relief; Indiana's epidemic statute and health and hospital code authorized local health officers to make factual determination of when forbidding gatherings was necessary to prevent epidemic, and legislature reasonably left precise method by which to limit public gatherings to health officer's expertise. *Bar Indy LLC v. City of Indianapolis*, S.D.Ind.2020, 2020 WL 7585709. [Injunction](#) 1372; [Injunction](#) 1382; [Injunction](#) 1401

The state board of health under Acts 1891, c. 15 [repealed], was granted authority to close school buildings as a health measure under police power, and a contract between township trustee and teacher for conducting school in a building condemned by the state board of health was a violation of law and a nullity. 1915-1916 Op.Atty.Gen. p. 324.

In the Matter of Amendment to 2021 Consulting Services Agreement for Jeanann Georgas Ficker

Cid made the motion, seconded by Menchaca, to approve amendment. Majority voted yes. Motion to approve amendment carried 7-0.

AMENDMENT

1. This Amendment (the "Amendment") to the Consulting Services Agreement (the "Agreement") dated December 16, 2020, is made by and between JEANANN GEORGAS FICKER (hereinafter called "**Consultant**") and the BOARD OF COMMISSIONERS OF THE COUNTY OF LAKE on behalf of the LAKE COUNTY COUNCIL (hereinafter called the "**County**").
2. The parties agree to amend Section 4 of the Agreement by the following additions (indicated by underlining) and deletions (indicated by strikethroughs):
 4. **Compensation** The County agrees to pay the Consultant a sum not to exceed ~~Seventy-five Thousand Dollars (\$75,000.00)~~ Ninety Thousand Dollars (\$90,000.00) for all services required herein at the rate of \$90.00 per hour, which shall include reimbursements for expenses incurred except that the County shall pay for any litigation expenses. The Consultant agrees to complete the project and all services provided herein for an amount not to exceed this sum. Subject to annual funding by the Fiscal Body.
3. This Amendment does not include the Consultant's performing grant reporting activities for the County's American Rescue Plan – Local Fiscal Recovery Fund (ARP-LFRF) Grant Award. Such activities were not included in the Agreement and, in the Consultant's judgment, cannot be accomplished through the Amendment.
4. This Amendment does not include the Consultant's performing data gathering and entry into the prescribed templates for the County's new financial system. Such activities were not included in the Agreement and, in the Consultant's judgment, cannot be accomplished through the Amendment.
5. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Amendment and the Agreement or any earlier amendment, the terms of this Amendment will prevail.

IN WITNESS WHEREOF, the County and the Consultant have executed this Amendment as of the
14th day of September, 2021.

**THE BOARD OF COMMISSIONERS
OF THE COUNTY OF LAKE**

CONSULTANT

KYLE ALLEN

Jeanann Georgas Ficker
JEANANN GEORGAS FICKER

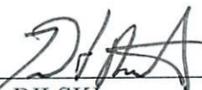
ATTEST:

MICHAEL REPAY

JOHN PETALAS
LAKE COUNTY AUDITOR

JERRY TIPPY

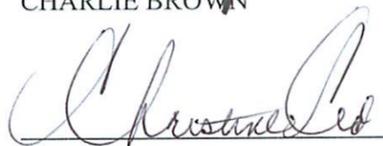
LAKE COUNTY COUNCIL



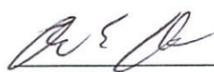
TED A. BILSKI



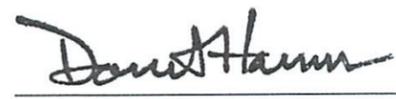
CHARLIE BROWN



CHRISTINE CID



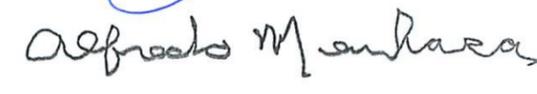
DANIEL E. DERNULC



DAVID HAMM



CHRISTIAN JORGENSEN



ALFREDO MENCHACA

Acknowledgments:

There was a moment of silence and reflection for Don Potrebic who was elected to the Hobart City Council for eight years and also served as the Councilman for the sixth district of the Lake County Council from January 1998 to December of 2005. Don passed away on September 7, 2021.

There was also a moment of reflection in memory of those who perished in the terrorist attacks of September 11, 2001.

Bilski commended all units that responded to Lake Central High School on September 8, 2021 due to a possible threat.

Dan Dernulc – I heard that there were several law enforcement agencies that came out to Lake Central. Including as far away as Tinley Park. We collaborated together with agencies outside of our state to make sure that our children are safe. Although this was a false alarm, it's better to be safe than sorry. So, thank you to all members of law enforcement.

Cid acknowledged Emma Gossman, a student from Munster, who attended her first council meeting.

There being no further business to come before the Council, it was moved and seconded that this Council does now adjourn, to meet again as required by law.

President, Lake County Council

ATTEST:

John E. Petalas,
Lake County Auditor